

MOTOR CARRIER SAFETY ADVISORY COMMITTEE CHARTER

1. **COMMITTEE'S OFFICIAL DESIGNATION:** The committee's official designation is the Motor Carrier Safety Advisory Committee (MCSAC).
2. **AUTHORITY:** The Committee is renewed as a statutory committee pursuant to Section 4144 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU, Pub. L. 109-59), as amended by Section 23002 of the Infrastructure Investment and Jobs Act (IIJA, Pub. L. 117-58), and under the authority of the U.S. Department of Transportation (DOT), established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. ch. 10. The formation and use of MCSAC are determined to be in the public interest.
3. **OBJECTIVES AND SCOPE OF ACTIVITIES:** The Federal Motor Carrier Safety Administrator, or his or her designee, presents MCSAC with tasks on matters relating to motor carrier safety. The Committee provides advice and recommendations to the Secretary of Transportation (the Secretary) through the Administrator of the Federal Motor Carrier Safety Administration (FMCSA) about needs, objectives, plans, approaches, content, and accomplishments of the motor carrier safety programs carried out by the Administration and motor carrier safety regulations.
4. **DESCRIPTION OF DUTIES:** The committee will:
 - a. Gather information as necessary to discuss issues presented by the Designated Federal Officer (DFO);
 - b. Deliberate on issues relevant to commercial motor vehicle safety; and
 - c. Provide written consensus advice to the Secretary through FMCSA Administrator.
5. **AGENCY/OFFICIAL TO WHOM THE COMMITTEE REPORTS:** The Committee reports to the Secretary of Transportation through FMCSA Administrator.
6. **SUPPORT:** FMCSA's Office of Policy provides necessary funding, logistics, and administrative support for the committee.
7. **ESTIMATED ANNUAL OPERATING COSTS AND STAFF YEARS:** The annual operating costs associated with the Committee's functions are estimated to be \$150,000 including all direct and indirect expenses. The cost estimate includes 1.2 full-time equivalent positions that are required to support the Committee.
8. **DESIGNATED FEDERAL OFFICER (DFO)**
 - a. The DFO for the Committee is FMCSA's Associate Administrator for Policy or his or her designee.
 - b. The DFO approves or calls all Committee and subcommittee meetings, prepares and approves all meeting agendas, attends all Committee and subcommittee meetings, adjourns any meetings when he or she determines adjournment to be in the public interest, and chairs meetings when directed to do so by the Secretary.

9. **ESTIMATED NUMBER AND FREQUENCY OF MEETINGS:** Committee meetings will be held approximately twice a year. As necessary, the DFO may call subcommittee meetings.

10. **DURATION:** Continuing.

11. **TERMINATION:** The committee will terminate 2 years from the charter filing date unless the charter is renewed in accordance with FACA and other applicable requirements.

12. **MEMBERSHIP AND DESIGNATION**

a. The committee comprises no more than 20 members appointed by the Secretary for up to 2-year terms.

b. Members serve at the pleasure of the Secretary. The Secretary may extend appointments and may appoint replacements for members who have resigned outside a stated term, as necessary.

c. The Secretary may reappoint members.

d. The membership includes representatives of the motor carrier industry, safety advocates, safety enforcement officials, and nonprofit employee labor organizations representing commercial motor vehicle drivers. Individuals appointed solely for their expertise will be appointed as special government employees (SGEs). No single interest group may constitute a majority of the committee.

e. To ensure that the recommendations of the Committee have considered the needs of diverse groups served by the Department, membership will include, to the extent practicable, individuals and/or organizations to represent persons with disabilities, as well as diversity of gender; geographic area; race and ethnicity; expertise; diversity of work sector; and other factors to achieve the most diverse and comprehensive points of view.

f. Members may continue to serve until their replacements have been appointed.

g. The Secretary will designate a chair and vice chair from among members of the committee. They will serve 2-year nonrenewable terms. The vice chair will succeed the chair at the end of the term.

13. **SUBCOMMITTEES:** The FMCSA Administrator is authorized to establish subcommittees. Subcommittees may not work independently of the chartered MCSAC and report their recommendations and advice to the full MCSAC for deliberation and discussion. Subcommittees must not provide advice or work products directly to FMCSA or DOT.

14. **RECORDKEEPING:** The records of the Committee, formally and informally established subcommittees, or other subgroups of the Committee, are handled in accordance with General Records Schedule 6.2 or other approved agency records disposition schedule. These records must be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552.

15. **FILING DATE**: This charter is effective September 27, 2023, which is the filing date of this renewed charter. The charter will expire 2 years after this date unless sooner terminated or renewed.